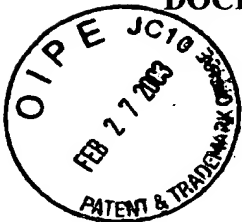


03-03-03

1648

DOCKET NO.: MOR-0040

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Nicholas C. Nicolaides, Et Al.

Serial No.: 09/912,697

Filing Date: July 25, 2001

For: **METHODS FOR GENERATING ANTIBIOTIC RESISTANT MICROBES
AND NOVEL ANTIBIOTICS**

Confirmation No.: 5193

Group Art Unit: 1648

Examiner: Z. Lucas

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EXPRESS MAIL LABEL NO: EV 160093360US
DATE OF DEPOSIT: February 27, 2003

EV160093360US

Box ☒ NON-FEE
☐ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☐ An Amendment Responsive to the Office Action Dated
- ☐ An Amendment Supplemental to the Paper filed
- ☒ Other: Power of Attorney with Revocation and Certificate Under 37 CFR §3.73(b) and a Statement Under 37 CFR §3.73(b).
- ☒ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
 - ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: .
- ☐ Other Material as follows: .

FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	41	41 (20 MINIMUM)	0	\$9 EACH	\$0	\$18 EACH	\$
INDEP. CLAIMS	3	3 (3 MINIMUM)	0	\$42 EACH	\$0	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$0	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$0	\$410	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$0	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$0	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$0	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$0		\$

- ☐ A check in the amount of **\$0.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of _____ to and through comprising an extension of the shortened statutory period of _____ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.

DOCKET NO.: MOR-0040

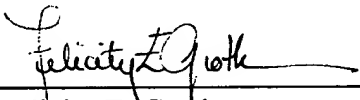
- 4 -

PATENT

☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: February 27, 2003



Felicity E. Groth
Registration No. 47,042

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Nicholas C. Nicolaides, *et al.*

Serial No.: 09/912,697

Filing Date: July 25, 2001

Patent No.: Not Yet Issued

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For: **METHODS FOR GENERATING ANTIBIOTIC RESISTANT MICROBES AND
NOVEL ANTIBIOTICS**

EXPRESS MAIL LABEL NO: EV 160093360 US
DATE OF DEPOSIT: February 27, 2003

Commissioner of Patents and Trademarks
Washington DC 20231

STATEMENT UNDER 37 CFR § 3.73(b)

MORPHOTEK, INC., a Delaware corporation,

states that it is:

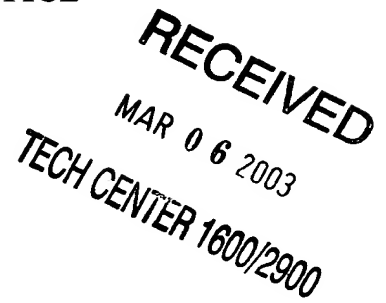
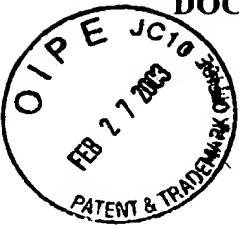
- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
- ☒ 1. The assignment was recorded in the Patent and Trademark Office at Reel 012514, Frame(s) 0062.
- ☐ 2. The assignment has not yet been recorded. A copy of the assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:



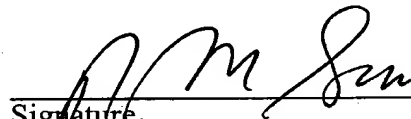
- i. From: To: The document was recorded in the Patent and
 Trademark Office at Reel , Frame(s) , or for which a copy thereof
 is attached.
- ii. From: To: The document was recorded in the Patent and
 Trademark Office at Reel , Frame(s) , or for which a copy thereof
 is attached.
- iii. From: To: The document was recorded in the Patent and
 Trademark Office at Reel , Frame(s) , or for which a copy thereof
 is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: Jan 02, 2003



Signature
Name: Philip M. Sass
Title: Vice President

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Philadelphia, PA 19103
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